

HOUSE No. 2356

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen L. DiNatale

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to the Retirement of Certain Correctional Employees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen L. DiNatale	3rd Worcester
Angelo J. Puppolo, Jr.	12th Hampden
George N. Peterson, Jr.	9th Worcester
Theodore C. Speliotis	13th Essex
Willie Mae Allen	6th Suffolk
Bill Bowles	2nd Bristol
Benjamin Swan	11th Hampden

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN CORRECTIONAL EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 *Chapter 32 of the General Laws is hereby amended by striking out sections 28M and 28N and*
2 *inserting in place thereof the following section:*

3 Section 28M. Notwithstanding section 1 to 28, inclusive, to the contrary: (1) any employee of the
4 department of correction, classified under Group 4, whose major responsibilities include the care and
5 custody of prisoners, and any transportation officer working within the department of correction, who has
6 performed services in the department of correction for not less than twenty years, or (2) any correction or
7 jail officer employed by the county sheriffs' offices who has performed services in said office for not less
8 than twenty years, or (3) any person with such combined service, as is further defined herein, in the
9 department of correction and the county sheriffs' offices, as is further defined herein, for not less than
10 twenty years, shall at his own request be retired by the retirement board in which he is a member.

11 Upon retirement under the provisions of this section a member shall receive a retirement allowance to
12 become effective on the date of his retirement. Payments under such allowance shall be made as
13 provided for in sections twelve and thirteen and the normal yearly amount thereof shall be equal to one-
14 half of the annual average rate of his regular compensation during the twelve-month period of his
15 creditable service immediately preceding the date of his retirement allowance become effective; provided,
16 however, that the total amount of the allowance shall be increased by one-twelfth of one percent for each
17 full month of service in excess of twenty years service and prior to the last day of the month in which such
18 member will attain the age of retirement. Any member retired under the provisions of this section who is a
19 veteran as defined in section one shall receive an additional early retirement allowance of fifteen dollars
20 for each year of creditable service or fraction thereof; provided, however, that the total amount of said
21 additional retirement allowance shall not exceed three hundred dollars in any case.

22 For purposes of "combined service" as set forth in this section: (1) an employee must have been a
23 member in service of the applicable retirement systems during any of the periods of service with the
24 department of correction and county sheriffs' office; (2) any period of employment with the department of
25 correction and county sheriffs' office must have immediately preceded the other; and, (3) during any of
26 the periods of employment a member shall have been employed in a position classified in Group 4, or a
27 transportation officer in the case of service with the department of correction, or employed as a correction
28 or jail officer, in the case of service with the county sheriffs' offices.

29 For purposes of "combined service" a "county sheriff's office" shall include only those sheriffs' offices
30 which now operate as independent state agencies pursuant to chapter 48 of the Acts of 1997, and

31 chapter 34B of the General Laws, and chapter 150E, §1 of the General Laws and are member units of the
32 Massachusetts State Employees' Retirement System.

33 This bill shall take effect upon its passage.